

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	Case No.: 5:09 CR 324
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	
)	
AMONTE TRICE,)	<u>ORDER ACCEPTING PLEA</u>
)	<u>AGREEMENT, JUDGMENT AND</u>
)	<u>REFERRAL TO U. S. PROBATION</u>
Defendant)	<u>OFFICE</u>

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Nancy A. Vecchiarelli, regarding the change of plea hearing of , which was referred to the Magistrate Judge with the consent of the parties.

On July 15, 2009, the government filed a two-count Indictment, charging Defendant, Amonte Trice with Felon in Possession in violation of Title 18 United States Code, Section 922(g)(1); and Possession of Firearms w/Obliterated Serial Number in violation of Title 18 United States Code, Section 922(k). On August 5, 2009, Defendant Trice was arraigned and entered a plea of not guilty to counts 1 and 2, before Magistrate Judge David S. Perelman. On August 29, 2009, Magistrate Judge Nancy A. Vecchiarelli, received Defendant Trice's plea of guilty to count 1 of the Indictment and issued a Report and Recommendation ("R&R")

concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Trice is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Trice is adjudged guilty to Count 1 of the Indictment, in violation of Title 18 United States Code, Section 922(g)(1). This matter is referred to the U. S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be on December 18, 2009, at 1:00 p.m. in Courtroom 17-A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE

October 14, 2009